



Order Filed on August 25, 2016  
by Clerk  
U.S. Bankruptcy Court  
District of New Jersey

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEW JERSEY

**Caption in Compliance with D.N.J. LBR 9004-2(c)**

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In Re:

Keith O. Wilkins and Alexandra J. Wilkins  
  
Debtor.

Case No.: 15-22520

Adv. No.:

Hearing Date: 8/23/2016 @ 9:00 a.m.

Judge: Kaplan

**AMENDED  
ORDER APPROVING LOAN MODIFICATION AGREEMENT  
AND VOIDING JUDGMENT LIEN**

The relief set forth on the following pages, numbered two (2) through 3 is hereby **ORDERED**.

**DATED: August 25, 2016**

  
Honorable Michael B. Kaplan  
United States Bankruptcy Judge

Page 2

Debtor: Keith O. Wilkins and Alexandra J. Wilkins

Case No: 15-22520 MBK

Caption of Order: Order Approving Loan Modification Agreement and Voiding Judgment Lien

This matter having been opened to the Court upon the motion of debtors for an Order approving a loan modification agreement, and the Court having reviewed the pleadings submitted and appearing that due notice has been given, and it appearing that the said loan modification agreement is proper and in the best interest of the debtors and the estate, and for good cause being shown,

It is hereby ORDERED:

1. Debtors' motion is hereby granted and the debtors are granted approval to enter into a permanent loan modification agreement with respect to the mortgage secured by the real property owned by the debtors at 89 Main Street, Metuchen, New Jersey 08840 dated March 25, 2011, in the original principal amount of \$521,281.00.
2. Upon receipt of an amended Proof of Claim, the Trustee may disburse the funds being reserved pursuant to this order to other creditors in accordance with the provisions of the confirmed plan;
3. If post-petition arrears are capitalized in the loan modification, M&T Bank by Lakeview Loan Servicing, LLC shall file an amended post-petition claim within 30 days of the date of this Order. Upon receipt of an amended post-petition claim, the Trustee may disburse the funds being reserved pursuant to this Order to other creditors in accordance with provision of the confirmed plan.
4. The Chapter 13 Trustee shall suspend disbursements to M&T Bank c/o Lakeview Loan Servicing, LLC pending completion of the loan modification, and all money that would otherwise be paid to M&T Bank be held until the arrearage portion of the claim is

Page 3

Debtor: Keith O. Wilkins and Alexandra J. Wilkins

Case No: 15-22520 MBK

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amended to zero, or the claim is withdrawn, or the Trustee is notified that the modification was not consummated;

5. In the event the modification is not consummated and the Trustee has been notified of same, any money that was held by the Trustee pending completion of the modification shall then be paid to M&T Bank c/o Lakeview Loan Servicing, LLC.

6. Upon receipt of the amended Proof of Claim, the Trustee may disburse the funds being reserved pursuant to this order to other creditors in accordance with the provisions of the confirmed plan; and

7. Communication and/or negotiations between debtors and mortgagees/mortgage servicers about loan modification shall not be deemed in violation of the automatic stay; and any such communication or negotiation shall not be used by either party against the other in any subsequent litigation.

8. The debtors' motion to avoid judicial liens under 11 U.S.C. § 522(f) is hereby granted, provided the debtors are granted a discharge in this Chapter 13 case or in a succeeding Chapter 7 case in the event of conversion to Chapter 7 under Title 11 of the United States Bankruptcy Code.